

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

## CIVIL MINUTES – GENERAL

Case No.	SACV 18-01093-AG (AGRx)	Date	August 2, 2019
Title	Craig Cunningham v. Performance SLC LLC et al		

PRESENT:

**HONORABLE ANDREW J. GUILFORD, UNITED STATES DISTRICT JUDGE**Melissa Kunig  
Deputy ClerkNot Reported  
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF:

ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

**PROCEEDINGS: (IN CHAMBERS) ORDER DENYING DEFENDANT’S EX PARTE APPLICATION [74]**

Defendants apply *ex parte* for an order allowing them to file a summary judgment motion exceeding the twenty-five-page limitation set by the Local Rules. Defendants say they need an extra ten pages to brief their summary judgment arguments because this case involves “multiple causes of action against multiple defendants” and a “detailed” factual history.

This argument is unconvincing. Plaintiff asserts only three claims against three Defendants, including two claims under the Telephone Consumer Protection Act (“TCPA”), and one claim under California’s Unfair Competition Law. Further, Defendants don’t argue there are complex or novel legal issues requiring extra briefing, only that the TCPA is an “ambiguous statute.” But regardless, the Court sees no reason why Defendants can’t effectively and efficiently state their position within the page limits set by the Local Rules.

For these reason and others, the Court **DENIES** Defendants’ *ex parte* application.

Initials of Deputy Clerk

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